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PART IV:

DEPARTMENT OF TRANSPORTATION

Coast Guard

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BOATS AND ASSOCIATED EQUIPMENT

Safe Loading and Safe Powering Standards

Title 33—Navigation and Navigable Waters

CHAPTER I—COAST GUARD, DEPARTMENT OF TRANSPORTATION

[CGD 73-250]

PART 183—BOATS AND ASSOCIATED EQUIPMENT

Safe Loading and Safe Powering Standards

The purpose of these miscellaneous amendments to the definition section of Subpart A, the Safe Loading Standard (Subpart C), and to the Safe Powering Standard (Subpart D) in Part 183, of Title 33, Code of Federal Regulations, is to clarify certain undefined or vague terms used in the standards and to allow a more flexible application of the standards.

A notice of proposed rulemaking was published in the FEDERAL REGISTER on March 6, 1975 (40 FR 10650) proposing adoption of these miscellaneous amendments.

No public hearing was held. However, the notice did provide that any person who wished to present his comments orally and informally before an appropriate Coast Guard official at Coast Guard Headquarters could do so. A comment period was held during which any interested person could submit written comments on the proposal. The written comment period ended April 21, 1975.

During the comment period a comment was received concerning the definitions of "length" and "beam". The comment states that the proposed definitions would impose an excessive derating of horsepower rating for applicable boats, because of the maximum of one inch restriction when including fenders, joiner strips, and extensions in the length and beam measurements. In some cases where the de-rating of the horsepower is a small increment of 5 horsepower, it may in fact result in a derating of as much as 25 horsepower because there is no motor currently available at such an intermediate horsepower. In addition, because of the large derating of the horsepower, a subsequent re-rating of the weight capacity is necessary.

The comment also stated that the "length" definition will affect the class line breakdowns for boats which could change the navigation light configuration requirements. Some boats which are presently greater than 20 feet in length would no longer be exempt from the recreational boating standards because of "shrinkage" due to re-definition of "length".

Because of these re-definitions, substantial alterations of some boats will be required from the design aspect, and also the re-rating of horsepower and load capacity will be necessary.

The Coast Guard agrees with the comment and will remove the one inch restriction from the definitions of "length" and "beam". The comment did bring to the Coast Guard's attention the length determinations for class line breakdowns for boats. Reviewing "Rules and Regulations for Uninspected Vessels", Subchapter C (Title 46 CFR Parts 24, 25, and 26) and the Federal Trade Commission's "Trade Practice Rules for the Pleasure Boat Industry" (August 4, 1961), it was obvious that the definition for "length" in 33 CFR 183.3 and in the proposed rule was not entirely consistent with the other established definitions. In order to be consistent the Coast Guard will adopt these definitions for "length" with minor additions. The definition for "beam" will reflect the same changes as for "length" with slight modification to be consistent with the "length" definition. When the horsepower capacity is determined in § 183.53 of the proposed amendments, the maximum transom width allows the one inch extension. The one inch extension limit will be removed for the final rule, and the new definition for "beam" will be adopted.

In the proposed definition for "sheer" the Coast Guard noticed that the last sentence of the definition had been excluded inadvertently. The sentence defined the conditions when a boat is horizontal. It will be included in the final rule. The Coast Guard felt there may be some confusion when using the alternate capacity plate for horsepower. The confusion may arise when the manufacturer chooses to use the alternate capacity plate, and then places only the horsepower capacity of the as shipped steering configuration on the plate, leaving the other horsepower capacity blank. When the alternate capacity plate which displays horsepower capacities for both steering configurations is used, the horsepower capacities for both steering configurations must be placed upon the plate by the manufacturer regardless of the as shipped configuration.

The Coast Guard will allow manufacturers, at their option, to use these miscellaneous amendments after publication of these amendments in the FEDERAL REGISTER as a final rule but before their effective date. During this interval, manufacturers who use the alternate methods of determining maximum displacement and display maximum weight or horsepower capacity according to the alternate methods will be considered by the Coast Guard to be in compliance with the requirements of § 183.23.

In consideration of the foregoing, Part 183 of Title 33, Code of Federal Regulations, is amended as follows:

1. By revising § 183.3 to read as follows:

§ 183.3 Definitions.

(a) "Beam" means the transverse distance between the outer sides of the boat excluding handles, and other similar fittings, attachments, and extensions.

(b) "Boat" means any vessel manufactured or used primarily for noncommercial use; leased, rented, or chartered to another for the latter's noncommercial use; or engaged in the carrying of six or fewer passengers.

(c) "Full transom" means a transom with a maximum width which exceeds one-half the maximum beam of the boat.

(d) "Length" means the straight line horizontal measurement of the overall length from the foremost part of the boat to the aftermost part of the boat, measured from end to end over the deck excluding sheer, and measured parallel to the centerline. Bow sprits, bumpkins, rudders, outboard motor brackets, handles, and other similar fittings, attachments, and extensions are not included in the measurement.

(e) "Monohull boat" means a boat on which the line of intersection of the water surface and the boat at any operating draft forms a single closed curve. For example, a catamaran, trimaran, or a pontoon boat is not a monohull boat.

(f) "Remote steering" means any mechanical assist device which is rigidly attached to the boat and used in steering the vessel, including but not limited to mechanical, hydraulic, or electrical control systems.

(g) "Sailboat" means a boat designed or intended to use sails as the primary means of propulsion.

(h) "Sheer" means the topmost line in a boat's side. The sheer intersects the vertical centerline plane of the boat at the forward end and intersects the transom (stern) at the aft end. For the purposes of this definition, the topmost line in a boat's side is the line defined by a series of points of contact with the boat structure, by straight lines at 45 degree angles to the horizontal and contained in a vertical plane normal to the outside edge of the boat as seen from above and which are brought into contact with the outside of the horizontal boat. A boat is horizontal when it is transversely level and when the lowest points at 40 percent and 75 percent of the boat's length behind the most forward point of the boat are level.

(i) "Transom" means the surface at the stern of a boat projecting or facing aft. The upper boundary of the transom is the line defined by a series of points of contact, with the boat structure, by straight lines at 45 degree angles to the horizontal and contained in a vertical longitudinal plane and which are brought into contact with the stern of the horizontal boat. A boat is horizontal when it is transversely level and when the lowest points at 40 percent and 75 percent of the boat's length behind the most-forward point of the boat are level.

(j) "Vessel" includes every description of watercraft, other than a seaplane on the water, used or capable of being used as a means of transportation on the water.

2. By revising § 183.25(b)(1) to read as follows:

§ 183.25 Display of Markings.

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(b) * * *

(1) For outboard boats:

U.S. COAST GUARD CAPACITY INFORMATION

Maximum horsepower xxx
Maximum persons capacity (pounds) ... xxx
Maximum weight capacity (persons, motor, and gear) (pounds) xxx

or

U.S. COAST GUARD CAPACITY INFORMATION

Maximum horsepower:
With remote steering xxx
Without remote steering xxx
Maximum persons capacity (pounds) ... xxx
Maximum weight capacity (persons, motor, and gear) (pounds) xxx

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3. By revising § 183.33(b)(1) to read as follows:

§ 183.33 Maximum weight capacity: Inboard and inboard-outdrive boats.

* * * * *

(b) * * *

(1) "Maximum displacement" is the weight of the volume of water displaced by the boat at its maximum level immersion in calm water without water coming aboard. For the purpose of this paragraph, a boat is level when it is transversely level and when either of the two following conditions are met:

(i) The forward point where the sheer intersects the vertical centerline plane and the aft point where the sheer intersects the upper boundary of the transom (stern) are equidistant above the water surface or are equidistant below the water surface.

(ii) The most forward point of the boat is level with or above the lowest point of water ingress.

4. By revising § 183.35(b)(1) to read as follows:

§ 183.35 Maximum weight capacity: Outboard boats.

* * * * *

(b) * * *

(1) "Maximum displacement" is the weight of the volume of water displayed by the boat at its maximum level immersion in calm water without water coming aboard except for water coming through one opening in the motor well with its greatest dimension not over 3 inches for outboard motor controls or fuel lines. For the purpose of this paragraph, a boat is level when it is transversely level and when either of the two following conditions are met:

(i) The forward point where the sheer intersects the vertical centerline plane and the aft point where the sheer intersects the upper boundary of the transom (stern) are equidistant above the water surface or are equidistant below the water surface.

(ii) The most forward point of the boat is level with or above the lowest point of water ingress.

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5. By revising § 183.37(b)(1) to read as follows:

§ 183.37 Maximum weight capacity: Boats without mechanical propulsion.

* * * * *

(b) * * *

(1) "Maximum displacement" is the weight of the volume of water displaced by the boat at its maximum level immersion in calm water without water coming aboard. For the purpose of this paragraph, a boat is level when it is transversely level and when either of the two following conditions are met:

(i) The forward point where the sheer intersects the vertical centerline plane and the aft point where the sheer intersects the upper boundary of the transom (stern) are equidistant above the water surface or are equidistant below the water surface.

(ii) The most forward point of the boat is level with or above the lowest point of water ingress.

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6. By revising § 183.53(a) to read as follows:

§ 183.53 Horsepower capacity.

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(a) Compute a factor by multiplying the boat length in feet by the maximum transom width in feet excluding handles, and other similar fittings, attachments, and extensions. If the boat does not have a full transom, the transom width is the broadest beam in the aftermost quarter length of the boat.

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(Secs. 5, 7, and 39, 85 Stat. 213, 215, 216, 228; 46 U.S.C. 1451, 1454, 1456, 1488)

Effective Date. This amendment is effective on March 23, 1976.

Dated: September 15, 1975.

O. W. SILER,
Admiral, U.S. Coast Guard,
Commandant.

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